

REMARKS

Claims 1-5 are pending in the application. Claims 1-4 stand rejected and Claim 5 is objected to.

Claim 1 stands rejected under 35 U.S.C. 102(e) as being anticipated by Patchell. (US 6,753,766 B2). Applicants respectfully traverse this rejection and request that Claim 1, as well as Claims 3 and 4, which depend therefrom, be reconsidered in view of these remarks and passed to issue over the Examiner's rejection.

As set forth in Claim 1, Applicants' system includes a vehicle fusion architecture in which paired input sensors are used along with a time-tagging module to generate a fusion output for providing information characterizing the vehicle environment. Of import here is the fact that Claim 1 sets forth, for each sensor pair, one sensor from a first band of the electromagnetic spectrum, and a second sensor from a second band of the electromagnetic spectrum, with each sensor providing an output indicative of the vehicle's environment. In contrast, Patchell, at column 7, lines 52-55, describes his system as having sensors which are "essentially identical except that corresponding left and right sensor pairs are mirror images of one another." In other words, Patchell teaches away from the use of sensors which are responsive to different bands of the electromagnetic spectrum. Further, Patchell appears to be looking only at the time lag between successive, but otherwise identical, sensor signals as shown in his various figures. Thus, Claim 1 cannot be rejected on the basis of Patchell and should be passed to issue over the Examiner's rejection, along with Claims 2-5, which depend therefrom.

Claim 2 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Patchell in view of Lemelson (5,983,161). The Examiner states that Patchell teaches everything in Claim 2 except a method wherein a visual camera and radar sensor are used. For this, he looks to Lemelson. Applicants respectfully traverse this rejection and request that Claim 2 be reconsidered in view of these remarks and passed to issue over the Examiner's rejection.

As noted above, Patchell cannot comprise a valid basis of rejection for Claim 1, from which Claim 2 depends. Moreover, neither Patchell, nor Lemelson, whether taken singly, or in combination with each other, either teach or suggest the invention as set forth in Claim 2.

Lemelson discloses an almost unbelievably complicated system which does include input from sensors which are concerned with different bands of the electromagnetic spectrum. However, Lemelson is devoid of any teaching or suggestion of sensor fusion as set forth in Applicants' claim. Rather, Lemelson compares the sensor outputs with GPS data in a manner not claimed by Applicants in Claims 1 or 2. As a result, Claim 2 is also allowable over the prior art of record and should be passed to issue along with Claims 1 and 3-5. Such action is earnestly solicited.

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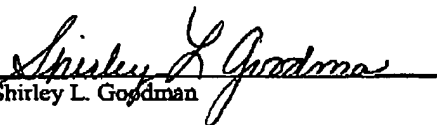
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CERTIFICATE OF MAILING

I hereby certify that the enclosed Response Pursuant to 37 C.F.R. 1.111 is being faxed via (703) 872-9306 to Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 14th day of October, 2004.


Shirley L. Goodman